THE EXAMINER.

No. 223. SUNDAY, APRIL 5, 1812

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 217.

THE LATE MR. HORNE TOOKE.

AFTER some little consideration of what I intended to write on this extraordinary person, I find it impossible to bring any detailed account of him within reasonable *hebdomedal* bounds,—at least, with that proper accompaniment of remark, which would be due to a right estimation of the times and circumstances in which he has lived. What I have to say, therefore, will rather be the result of an enquiry into his character, than the enquiry itself; and as this kind of summary involves a good deal of assertion on the part of the writer, the *Examiner* will be more particularly open to such of it's Correspondents as may think fit to make their remarks on the subject.

It is a perpetual and striking lesson respecting the bad choice which present times almost always make of their leading characters, to observe with what indifference they regard the decease of men who are destined to be the talk of posterity, while the every day proceedings, much more the last moments of any common-place politician, whom they have suffered to be of importance in the State, afford matter of gaping interest to the whole nation, and flatter the poor creatures of the day into a ridiculous expectation of future celebrity. When MILTON died, nobody took notice of the circumstance, because the eyes of the people were occupied in watching the politics of a despicable set of beings, who now exist only in the annals of courtiers and demireps. COLUMBUS, whose glory is present to all eyes, with one foot on the Eastern and one on the Western hemisphere, died at a silent distance from the miserable court which had wronged him, and which would have almost ceased to be mentioned but for his connexion with it. Nay, the very names of the persecutors of SOCRATES, who were in possession, no doubt, of all the talk of their day, are now to be found but in his story. I have no intention of comparing the object of the present paper with these illustrious men, who are some of the very greatest of names for genius and virtue; but in proportion to his merits, he has enjoyed the honour of the usual want of attention in the article of death, and while column after column is wasted away in the public Journals upon the Dukes of GRAFTON and PORTLAND, a solitary notice from each is reckoned sufficient for one of the acutest politicians of his age, and perhaps the first philologist of his nation.

A man of Mr. HORNE TOOKE's intellectual rank in society will present himself to future biographers in three points of view,—as a politician, a man of letters, and a private example. It is in the first light that his character assumes most interest at present; and an appreciation of it perhaps is not very difficult to those who wish to be, and can be, impartial. To act up then to the judicial brevity above-mentioned, and state my conclusions at once,—his political character seems to be that of a wrong spirit on a right side of thinking. I say a right side of thinking, not so much upon SWIFT's canon of criticism,—that every body who thought as he did must be in the right,—but because I assume as a general maxim, that all those who thoroughly value and understand the English Constitution, however they may differ upon present contingencies, are agreed that the true way to preserve it is to prevent as much as possible its departure from first principles;—and I say a wrong spirit, not because I doubt his sincerity upon the great cause which he professed to advocate, but because I do doubt his sincerity or strait-forward conduct, and cannot but rank him among those polluted intellects, who, when they think themselves most wise in using a crooked policy for the furtherance of a good object, not only hazard the success of their cause by rendering a detection of their management injurious to its reputation, but disgust the single-minded who are of their side of the question, and in losing sight of the wisdom and attraction of a high conscientiousness, render their very talents a folly and a curse. I shall have occasion, in the course of this Article, to notice a feature of Mr. TOOKE's private history, which might even go near to contradict his sincerity in every ostensible measure of his life; but not to be so uncharitable, or indeed so ill-informed upon human nature, as to make any peculiar frailty responsible for a conduct with which it is not immediately connected, I shall proceed to state briefly the grounds which appear to me to be conclusive both as to his general sincerity and his particular want of it.

With regard to the first, the single fact seems to be sufficient, that notwithstanding the ambitious and other wordly views laid to his charge, he inflexibly adhered to the same political opinions with which he set out in life, unterrified by the many dangers to which he exposed himself in their cause, and unseduced by the wealth and honours which were unquestionably in the reach of a man so gifted and active. The celebrated JUNIUS, under a fit of impatience that he had separated from WILKES, and a mistaken impression that he had gone over to the Court, set him down at once for a Bishop; and though there might have been more of sarcasm than of intended prophecy in the conclusion, yet he evidently regarded him as a man who might always make his own terms with a Ministry. What he was in those times, he continued to his dying day,—a strenuous and undaunted advocate for Parliamentary Re-

form, for a check to the increase of power in the Crown, for the individual and minutest rights of the subject,—in a word, for the reduction of the Constitution to its first and simplest principles, as the only method of purifying the system of government and giving a new lease to the existence of the nation. If in the course of his exertions to this end, he once adopted a line of action that rendered his loyalty to the Executive Power a matter of doubt, yet granting even that the suspicion was well founded, and that he would have overturned the government as it then stood; it does not follow, however paradoxical the assertion may appear to weak minds, that he did not continue sincere in his constitutional professions. The wish to alter an existing government argues nothing against a man, of itself:—its propriety or impropriety, its patriotism or traitorousness, depend, like virtue and vice, upon the principles on which it proceeds and the effects it is calculated to produce; and the Englishman, if there be such an Englishman, who would maintain otherwise, would advocate the cause of tyranny in general, and be disloyal to the Brunswick Succession in particular. It may have appeared to Mr. Horne Tooke that the encroachments on the part of the Crown and its advisers had brought about the period when, according to a phrase in his answers to Junius, the conduct of the Executive "justified rebellion;" and he might have thought the Constitution recoverable by no other means. If he did think so, the *Examiner*, for one, thinks he was egregiously and alarmingly in the wrong, and that he confounded the bad effects of aristocratical carelessness and corruption with the faults of the ruling powers. To restore the constitution to its fit state of health, the people must unite, not against any one individual or set of individuals, but against the jealousies and corruptions that split their own powers asunder, and render the State liable to be abused by individuals. In former times the personal influence of Kings was dangerous, from particular circumstances of civil and religious opinion; but under the present Family, the Aristocracy and Democracy of the country ought to despise themselves to the heart's core, if they cannot resist encroachment on the part of the Executive. It is with them alone to regulate the lesser body by the greater; it is for them alone to touch calmly but powerfully the loud note of reformation; for them alone to restore harmony in the State by clearing their own spheres from destruction, and striking again into the majestic music of a willing union.

Of Mr. Horne Tooke's insincerity in particular, that is to say, of his condescension to appearances which he privately contradicted, and of the lax and shuffling policy which he occasionally pursued, the proof seems as clear as that of his sincerity in the main. It is to be recollected, that when he set out in public life, he was a Clergyman and held a living; and of course, the least that was to be expected of him, was an ostensible conduct consistent with what his situation professed; yet having sided with the just indignation of the people against the reign of favouritism and persecution that was then commencing, he began his career by fondly associating with Wilkes, a man whose utter want of principle made him dangerous in a good cause, and has since handed over his name, without obstruction, from popularity to infamy. It is true, he forsook Wilkes upon a closer acquaintance with the profligacy of his *politics*, but he must have already been intimate enough with his profligacy in every other respect; and what can be his feelings with regard to the means of action, who scruples not to violate the commonest decencies in their behalf? It was no doubt a conscious inconvenience on this point, added to private as well as public reasons of his own, that induced Mr. Horne Tooke to throw off the clerical character,—a proceeding which has been stigmatized as "indecent" and "impious;" but the indecency and impiety appear rather to have consisted in professing it at all, than in renouncing what he felt no wish to maintain. Unluckily, after rejecting the spiritual pretensions of the Divine, he did not put on the moral dignity of the philosopher. His manners were lax, his society unguarded and indiscriminate, and the general tone of his proceedings contemptuous of opinion. Such a man had no claim to tenderness of criticism; and the consequence was, that when he retired to private life, after his failure in attempting to sit in Parliament, he took with him, and retained ever afterwards, the character of a factious politician, who though he had a right to the claim of consistency in the general scope of his politics, was in every thing else a mere man of the world, respectable for little but talent, and better to be out of the bustle than in it. It was a great pity, surrounded as he was in his retreat with his books and his friends, and seeing the purer part of his conduct (at least, I hope and trust the purer part), imitated by his favourite companion, that he again interfered personally with politics; but his private attachments conspired with his public opinions to make him impatient of the proceedings of Mr. Paull, one of the Candidates in a Westminster election; and engaging with that unfortunate adventurer in a paper quarrel, he stumbled upon a piece of meanness, that gave the latter a complete advantage over him, and at the same time converted the doubtful opinion, that still lingered in the minds of a number of persons, into a conviction of his unworthiness. In his pamphlet against this person, he accused him of intruding himself upon the parties at Wimbledon,—of coming there uninvited and undesired, and continuing his visits to a pitch of annoyance. Mr. Tooke even declares that he had a dislike to the man from the very sight of him, and always felt something within him that shuddered at being under the same roof with him—"eadem sub trabibus." What answer does Paull make to these humiliating accusations? He produces, in a counter pamphlet, letters written by Mr. Tooke himself, beginning with "Dear Sir," and containing a general, a friendly, and even earnest invitation to consider himself as possessing a knife

and fork at his Sunday table. Mr. Tooke's character has no means of escaping from the effects of this last conviction. One way or other, he had told a direct falsehood to the public, mean, palpable, and malignant. Such did the public pronounce it, and such, and so pitiable, was the close of his public life.

It is fortunate for Mr. Tooke that he had merits of a distinct kind from those of public and political life, which will carry his name down with honour to posterity, and render him celebrated among thousands who will have little or no impression of him in any other shape:—I mean that profound skill in philology, which produced the celebrated grammatical work called the *Diversions of Purley*. The illustrious and infamous Bacon, (with whom however I have no intention of comparing Mr. Tooke either in lustre or bad repute) has a pathetic hope at the close of one of his glorious treatises, that his literary and philosophical renown will retrieve and perhaps do away his political character with posterity; and though it has not succeeded to this extent, yet Bacon is infinitely more known as a writer than a public man, as a miracle of knowledge, rather than as a creature of the Court and a monster of ingratitude. Milton, who in his own age was so little known to the world except as a politician, that Bayle, in concluding his article upon him, merely hints at his being reckoned a great poet by his countrymen, is now scarcely any thing but the great poet, even in England; and inferior examples of literary reputation overcoming that of a different species, are innumerable. Mr. Tooke's will no doubt be as complete of it's kind, though not so extensive, as that of poets and philosophers.—I have not room,—nor indeed a sufficient hold of the subject,—to discuss the merits of his performance in this place; but in justice to one of whom I have been speaking so severely in one respect, I cannot help risking the charge of impertinence by declaring myself one of it's warmest, though not blindest, admirers,—one of the very many who, at first sight of it, bade adieu to the leaden *Hermes* of Mr. Harris, to admire the more vivacious, engaging, and informing spirit of the Epea Pteroenta.

The private life of Mr. Tooke appears to have been what might be guessed from his public one; bustling and somewhat loose in the former part of his career,—and with the exception of that unfortunate ebullition about Paull, peaceable and philosophic towards the close of it. He has left, I believe, two natural daughters; but it remains to be ascertained, whether they were born to him during his clerical situation:—if they were, his contempt for what he was professing is heavily encreased in the guilt of worldliness and hypocrisy. His society, which had never been select, continued to be very much the reverse to the day of his death; and whether it was owing to this circumstance, to the taint of early example, or to an affectation of speaking what he might call his mind, his conversation, though full of a wit and knowledge that should have taught it better, partook of the coarseness of sheer vulgarity. For the rest which I have heard of him, and in which I beg to be corrected if misinformed, he was accounted a good-tempered and social man, hospitable, unassuming, overflowing with information, careless of the morals as well as manners of those about him, and as old Cardan might have said in conclusion,—slovenly in his person and very temperate. The feelings, with which he professed to contemplate the approach of his last moments, are well known to the public, and were not belied by the event. He died like a philosopher, retaining his natural facetiousness to the last, repeating his gratitude for the blessing he had enjoyed in his existence, and expressing his confidence in the final happiness which the Deity must have intended for all his creatures.

To take leave of our subject in charity, let us hope and trust that a death so worthy of men of more perfect lives, and ideas of the Supreme Being so becoming a superior intellect, were accompanied by secret recollections of good, which infinitely surpassed the ill that we know of him. To die well or ill argues nothing in proof of right or wrong opinion, since there are happy and unhappy deaths among sects and systems of every denomination; but the former at least argues a conscious something, whether well or ill founded, superior to the conscious error that may accompany it; and it is not the worst thing to say of Mr. Horne Tooke, that the best feature in his eventful life was the close of it.

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FOREIGN INTELLIGENCE.

FRANCE.

Paris, March 19.—The King of Westphalia arrived here within these few days.

March 20.—Judgment of the Council of War on Capt. Saint Cricq, late Commander of his Majesty's frigate La Clorinde; Capt. Ponée, late Commander of his Majesty's frigate La Nereide; and Lieut. Defredot Duplanty, late Commander of his Majesty's frigate La Renommée:—Captain Ponée honourably acquitted. Lieut. Defredot Duplanty acquitted. Capt. St. Cricq adjudged by a majority of six to be guilty of disobedience of the orders, but not in the presence of the enemy, and sentenced to be cashiered and declared incapable of serving, as well on account of his not having taken any part in the second engagement in which the Renommée was taken, as for having abandoned that frigate by erroneous manœuvring, irresolution, and want of judgment. He was besides unanimously sentenced to imprisonment for three years.

SWEDEN.

Gottenburgh, March 20.—All accounts received from Germany agree in stating, that the King of Prussia has acceded to every measure the French have thought proper to dictate. There are 30,000 French troops in Dantzic, the inhabitants of which place have been ordered to supply themselves with twelve months provisions. Letters from St. Petersburgh, dated the 12th instant, say, that great preparations are making there for war with France. Seven-

teen thousand of the Imperial Guards, infantry and cavalry, marched from Petersburgh the beginning of this month for the frontiers of Poland.

PORTUGAL.

Lisbon, March 22.—Ground was broke before Badajoz on the 17th inst. under a very heavy, but not destructive, fire, from the garrison. It rained incessantly on the 17th and 18th. This, however, did not prevent very great progress being made in the trenches. The Light, 3d, and 4th division, under Lord Wellington's personal superintendance, carrying on the siege, with a considerable number of Portuguese troops. The general opinion here is, that it will fall in three weeks, if not succoured. We hear nothing of the enemy's movements; but it is not supposed they will suffer Badajoz to fall without risking a battle, the result of which we confidently expect will be the total ruin of their army, and their being obliged to evacuate the South of Spain.

March 23.—Our attack on Badajoz is carried on on the N. W. side only. The rapidity of the works is astonishing. Lord Wellington is always on the spot. The enemy made a sortie with 1200 infantry and 30 horse; they were repulsed with the loss of 200 men; we had 30 killed.

GERMANY.

Leipzic, March 12.—All the Prussian troops have received orders to march from this neighbourhood, to join the French armies, which are to be commanded by Marshal Ney. It is also said, that Austrian troops, to the number of from 90 to 100,000 men, have received orders to unite with the French. For this last week there have been French troops continually passing through. This day it is said, that Murat is to join the army, and that he will command the French cavalry. It is also said, that the Austrians will be under the command of French Generals. The whole of the French force is estimated at about 300,000 men.

IRELAND.

Murder.—On the morning of the 15th of last January, the house of some men of the name of Muldowney, (three or four brothers, who resided together) at Montergmore, near Thomastown, was surrounded by a detachment of the Police of the county of Kilkenny. They went thither avowedly for the purpose of apprehending one of the brothers, against whom a Bench Warrant had been issued, for an alleged assault of a very old date. The intention to execute the warrant was known, however, the day before. When the Policemen demanded to be admitted, and while the eldest brother was in the act of opening the door; the young man, against whom the Warrant had been issued, under the influence of a momentary terror, attempted to creep up the chimney, in the hope of concealment. Unfortunately, before he accomplished his purpose, his brother had opened the door, when one of the party (a wretch of the name of Flood) perceiving the attempt, but without calling, in the name of the King, on the person to desist or surrender, as he ought to have done, (particularly as escape was then utterly impracticable) levelled his carbine, and lodged the contents in the body of the young man. The shot was fatal, for the unfortunate victim of the outrage fell lifeless on the floor; but his death, it seems, was not sufficient, for another of the party (a monster of the name D[illegible]) exultingly cried out, "*Well done, by Go[illegible]*," and then deliberately presenting his [illegible] lifeless trunk, weltering in blood!—[illegible] made their escape. A Coroner's [illegible] the next day, and a verdict of wilful murder against Flood was returned. Edwards was shortly after apprehended; but two Magistrates took bail for his appearance at the ensuing Assizes. It is generally believed in the neighbourhood, that Flood (the principal in the first degree) is still lurking in the country; and it is a lamentable circumstance that the inactivity of the Magistracy has given cause to the people to entertain such a suspicion.—*Dublin Evening Post, March 26.*

PROVINCIAL INTELLIGENCE.

AGRICULTURAL REPORT FOR MARCH.

The wetness and changeableness of the weather have occasioned a catching and difficult seed season, which will probably be two or three weeks later, in most parts, this spring, than usual. The late drought was too quickly followed by wet and otherwise unfavourable weather. Nothing yet sown but beans, pease, and a few black or early oats, of which little is said, from their not being forward in growth. Wheat in general looks well, excepting where it is too forward in the grass, and upon cold wet soils, where much of the plant has perished, from the too great moisture in the winter season. Accounts, from various quarters, of a disapprobation of spring wheat; in some few, of a breadth of wheat unusually large. Broad-cast wheat, extremly foul and weedy, where the land has been at all neglected. The spring cattle crops continue to improve. Turnips, upon the whole, have held out well, and hay has been in great plenty; straw short in quantity. It has been an unthrifty season for all out-door stock, and the rot in sheep has prevailed, more or less, throughout; the lambing, in course, has not been attended with the usual success. Store cattle rather scarce and dearer. Store pigs declining in price, from the advancing price of corn. Cows beyond all former price. From the vast prices demanded for good cart horses, the custom of substituting bullocks is gaining ground in many parts. The wool trade continues as before, excepting some additional briskness in the demand for fine fleeces. Nothing new being reported relative to the stock of corn in the country, it may be presumed full as ample as was expected.

On Saturday week, *Julien Dubois* and *Guilliaume Beury*, were executed. They had endeavoured, but ineffectually, to commit suicide, by opening a vein each, in the arm, with a piece of window glass, but they were recovered, and suffered the sentence of the law. They had expressed a wish to be shot, instead of hanged, as a death more agreeable to a soldier; but being informed that could not be done, they appeared resigned. Beury, considering that he should effectually destroy himself, had left a written paper in his room, stating, that when a valiant Frenchman was sentenced to die by the common executioner, rather than disgrace himself, his family, and his country, by such an ignominious end, he preferred dying by his own hands. At the place of execution, Beury exclaimed, *Vive l'Empereur!*

T. Venn, Jun. a creditable farmer, of Brent, near Bridgewater, was, on Tuesday last, committed to Wilton Gaol, charged with the murder of Elizabeth Commer, of that parish, by drowning her.—It appears that the deceased was within a few days of her delivery of a child, of which the prisoner was the supposed father, and that he had endeavoured to persuade her to charge her pregnancy on some other person. On the night of her death the prisoner had appointed to meet the deceased in a field adjoining a public house, into which he went, and purchased a pint of brandy, and borrowed a glass. When the body was examined, nearly the whole quantity of a pint of brandy was found in the stomach of the deceased; and the footsteps of a man, and likewise those of the unfortunate woman, were traced to the edge of the water. The prisoner, who is overseer of the parish, has been committed to take his trial.

ASSIZES.

Worcester.—A spirit of intolerance and persecution has for some time prevailed at Pershore, in the county of Worces-

ter, against a small society of Wesleyan Methodists, lately instituted in that place, who have met for religious worship in a house situate in the Newland there duly certified. This small society, with other well disposed and peaceable persons, have many times, both before and at divine service, been molested and grievously persecuted. The preachers have several times been stoned and pelted with mud and dirt, and their lives put in jeopardy; the house assailed with mud and stones, and the occupier of the house rendered insecure in his person and property. The windows and window shutters have been several times broken, and, in fact, nothing left unattempted by outrageous mobs to deter the Preachers in this connexion from preaching in this place, and to annoy the occupier of the house, his family, and the persons who chose to attend the service.—And in these proceedings, as is usually the case, it appears that the ill-disposed have been encouraged by persons who ought to have considered that, in this free country, no person proves himself more friendly to the establishment than he who allows other persons to enjoy their religious worship without molestation. This, indeed, the Law and Constitution of the country enjoin. These observations originate in consequence of an indictment removed from the Quarter Sessions for the County of Worcester, by certiorari, which came on to be tried at the last Assizes; in which Mr. Hunt, who is a man of property and a tanner, at Pershore, and others, were charged with a riot in the said house on Sunday, the 13th January, 1811, and for breaking the windows and shutters, throwing stones, and assaulting and wounding one Mary Tomkins. The offence was most circumstantially and clearly proved, and not the least evidence adduced by the defendants either in denial or extenuation of the charges. The Learned Judge, in his most perspicuous charge and summing up of the evidence on this occasion, noticed emphatically, that a great riot and disturbance of the public peace had taken place, very disgraceful to all concerned in it; and this upon a Sunday evening! He commended the wisdom of our ancestors in passing the Toleration Act, and declared that these proceedings were against the well-being of the Establishment, as well as against good order and serious feeling, for that no one proves himself more friendly to the Establishment than he who allows other persons to enjoy their religious worship without molestation. By the way, the Judge introduced a short eulogium on the talents and learning of the late Rev. John Wesley, the revered founder of this religious society, and noticed concisely the chief points of difference between the Wesleyan Methodists and the Establishment. He took notice, that the parties assembled were not a private meeting to hear a mere Enthusiast, but persons assembled to hear a licensed Preacher, in a licensed meeting-house. He noticed, that no evidence had been adduced for the defendants, either in denial or extenuation; that no decent man could have gone into that place with his hat on, as the defendant Hunt had done, besides his putting out the candles as proved, and his indecent and general riotous conduct there; and that it was impossible to hear the whole of the evidence gone through without every friend to order being satisfied that the parties had been guilty of a most atrocious riot. The Jury then returned a verdict of guilty against the parties, and the defendants will be brought up for judgment in the Court of King's Bench the ensuing term.

KINGSTON, APRIL 1.—*Adam Lee*, *Thomas Lee*, and *Eleanor* his wife, were indicted for a highway robbery, by stopping Elizabeth Collier, on the 21st of October last, and forcibly taking from her her cloaths, pockets, money, &c. The prisoners were three gipsies, and the case excited a considerable degree of interest, on account of the cruel manner in which the prosecutrix had been treated.—Elizabeth Collier, when called, was in a very languid and debilitated state, from the ill usage she had received. She stated that she lived, in October last, at Horsham, in this County, with Mr. Giles. On the morning of the 21st of October, she was sent to Walton, by her Mistress, and on her return home she saw the three prisoners. The woman gipsy asked her if she would have her fortune told—she replied, no, she knew her fortune very well. Immediately the prisoner Thomas Lee came up to her, and caught her by putting his arm round her neck. The other came up, and they dragged her towards the pailing of Sir John Frederic's park. While the men were dragging her, the woman kicked her several times. They then loosened a pailing from the park, and dragged her through the aperture into the Old Park. Here they abused her very much, by beating her violently. She fainted away, and when she recovered she found that they had stripped her of her gown, pockets, petticoat, and left her almost naked. She made a noise, but they were not gone, and they returned back again, and told her that if she made any more noise they would murder her. She then described the dress of the persons of all the three. She said that Thomas Lee, the taller gipsy, had more hair and whiskers. They were taken the next day, and she recognized them again, except that the whiskers of Thomas Lee had been shaved off.—Another witness proved, that she passed the same place shortly before, and she saw the three prisoners near the spot which the prosecutrix had described as the same of the robbery. For the prisoners an alibi was set up, to support which a great number of witnesses were called.—The Jury found all the prisoners *Guilty*.

TUESDAY'S LONDON GAZETTE.

Admiralty-Office, March 31.

Copy of a Letter from Rear-Admiral Foley, Commander in Chief in the Downs, to John Wilson Croker, Esq. dated the 29th inst.

SIR—I have the honour to transmit, for their Lordships information, a letter this morning received from Captain Harvey, of his Majesty's sloop Rosario, detailing an account of a very spirited attack made by him on the enemy's flotilla, consisting of twelve brigs, of three brass twenty-four pounders, and one eight-inch howitzer, with fifty men each, and a lugger, assisted with great gallantry by Captain Trollope, of his Majesty's sloop Griffon, which terminated in the capture of three brigs, and putting two ashore. I am happy it is in my power to name Captain Harvey as an officer of great zeal and distinguished merit; Captain Trollope, their Lordships will observe, is highly spoken of in Captain Harvey's letter, for his prompt attention, and gallant conduct in the attacks he so judiciously and successfully made on the enemy.—I have the honour to be, &c.

THOMAS FOLEY, Rear-Admiral.

John Wilson Croker, Esq.

His Majesty's Sloop Rosario, off Dieppe,
March 27, 1812.

SIR,

It is with much satisfaction I have to acquaint you, that at half-past eight A. M. Dieppe bearing S. W. four or five miles, we observed an enemy's flotilla, consisting of twelve brigs and one lugger standing along shore, and, immediately made sail to cut off the leewardmost. The enemy, by signal from their Commodore, formed into a line and engaged us severally as we passed, but upon luffing up to cut off the sternmost, the whole bore up to support her, and endeavoured to close with us. Finding them thus determined to support each other, and the small force of the Rosario not admitting my running the risk of being laid on board by several at once, I bore up to a brig we observed in the offing (and which proved to be the Griffon) and made the signal for an enemy. The moment she had answered we hauled to the wind, and at forty minutes after twelve began to harass the enemy's rear, who were then endeavouring to get into Dieppe under all sail; tacked and wore occasionally to close, receiving and returning the fire of the whole line each time; at half-past one, being far enough to windward, run into the body of the enemy, and by cutting away the running rigging of the two nearest, drove them on board each other, backed the main-top-sail and engaged them within musket shot till they were clear, then stood on and engaged another, whose mainmast and foretop-mast soon went by the board, when she immediately anchored; passed her and drove the next in the line on shore; two more of their line yet remained to leeward, bore up and run the nearest one on board (then not more than three quarters of a mile from the shore.) So far the Rosario had acted alone, as the Griffon had not yet arrived within gun-shot; bore away with prize beyond range of the batteries and hailed the Griffon (then passing under a press of sail,) to chace the remaining brig,

and which service she performed in a very handsome manner, by running her on shore, near St. Aubin, under a very heavy fire from the shore; seeing no probability of the Griffon being able to destroy the brig, made her signal to attack the enemy in the S. E. then anchoring close in shore. In the mean time we were getting the prisoners on board and repairing the running rigging, which was much damaged. Captain Trollope having closed with the enemy, run the Griffon in shore of one at an anchor nearly in the centre, and in the most gallant manner laid her on board, cut her cables and stood out, under the fire of the batteries and the whole of the other brigs; upon passing the Griffon I found her too much disabled to immediately make sail again to the attack, but being determined to have another, (and although we had nearly as many prisoners as our own sloop's company) I run the dismasted one on board, which we found the enemy had deserted, but this circumstance the darkness of the night prevented our being enabled previously to discover, at which time the remaining seven of the flotilla were under weigh, getting into Dieppe harbour. I must beg leave to mention the very able assistance I received from the exertion of my first Lieutenant, Mr. James Shaw, in boarding the enemy, and during the whole of the day in the arduous task of working the ship while engaging: and the conduct of the whole of the other officers and ship's company was such as to merit my warmest approbation. We have only one petty officer and four men wounded; the officer is Mr. Jonathan Widdicome Dyet, Midshipman, whose unremitted exertions during the action and activity in boarding (when he received the wound) together with his general good conduct, renders it my duty to recommend him.

The flotilla is the fourteenth division, commanded by Monsieur Sarue, Capitaine de Vaisseau and Commandant de Division; sailed from Boulogne at ten P. M. the 26th instant, and intended going to Cherbourgh; each brig has three long brass twenty-four pounders, and an eight-inch brass howitzer, with a complement of fifty men. When I consider this flotilla, united to batteries keeping up a constant fire of both shot and shells, and the very small force we had, I trust the having taken three, run two on shore, and much damaged the others, will shew our zeal for the public service, and meet your approbation.—I have the honour to be &c. B. HARVEY, Commander.

Rear-Admiral Foley, &c.

BANKRUPTS.

S. Read and R. Young, Wood-street, Cheapside, silkmen.
S. May, Coventry, carpenter.
J. Murphy, Rowland-street, Fitzroy-square, engraver.
W. Webber, Bristol, dealer.
T. Harland, Wilmot-street, Brunswick-square, baker.
S. Pybus and J. Ward, Woolwich, wharfingers.
P. Proctor, Bush-lane, Cannon-street, ship-broker.
J. Fowler, Bridport, baker.
J. Walton, Coventry, ribbon-manufacturer.
W. Whittenbury, Bishopsgate-street, cheesemonger.
G. Wilson and W. Taylor, Manchester, merchants.
J. W. Parrott, Michel Deene, Gloucestershire, coach-maker.
H. Richardson, Euston-square, St. Pancras, brick-maker.
W. Oliver and G. H. Townsend, Howford-buildings, Fenchurch-street.
T. Baylis, Tewkesbury, draper.

SATURDAY'S LONDON GAZETTE.

Downing-street, April 2, 1812.

Dispatches, of which the following are extracts, have been received from the Earl of Wellington, addressed to the Earl of Liverpool.

Elvas, March 13, 1812.

I moved the head-quarters from Fremada on the 6th, and arrived here on the 11th inst.

There are none of the enemy's troops in the field in Estremadura, excepting that part of the 5th corps not in the garrison of Badajoz, the head-quarters of which are at Villa Franca, and a detachment, consisting of about a division, under Gen. Darican, whose head-quarters are at La Serena.

The enemy have made no movement, and I have heard of no operation of importance since I addressed your Lordship last. According to the last accounts Marshal Soult was in the lines before Cadiz.

Camp before Badajoz, March 20, 1812.

According to the intention which I announced to your Lordship, I broke up the cantonments of the army on the 15th and 16th instant, and invested Badajoz, on the left of the river Guadiana, on the 16th, with the 3d, 4th, and light divisions of infantry, and with a brigade of Lieut.-General Hamilton's division on the right. These troops are under the command of Marshal Sir Wm. Beresford and Lieut.-General Picton. We broke ground on the following day, and have established a parallel within two hundred yards of the outwork called the Picurina, which embraces the whole of the south-east angle of the fort. The work has continued ever since with great celerity, notwithstanding the very bad weather which we have had since the 17th.

The enemy made a sortie yesterday from the gate called La Trinidad, on the right of our attack, with about two thousand men. They were almost immediately driven in without effecting any object, with considerable loss, by Major-General Bowes, who commanded the guard in the trenches. We lost upon this occasion a very promising officer, Captain Cuthbert, Aide-de-Camp to Lieutenant-General Picton, killed; and Lieutenant-Colonel Fletcher was slightly wounded, but I hope that he will soon be able to resume his duties. I have not yet got the returns, but I believe that our loss since the commencement of these operations, amounts to one hundred and twenty men killed and wounded.

On the same day that Badajoz was invested, Lieut.-General Sir Thomas Graham crossed the Guadiana with the 1st, 6th, and 7th divisions of infantry, and General Slade's and General Le Marchant's brigade of cavalry, and directed his march upon Valverde and Santa Martha, and thence towards Llerena; while Lieut.-General Sir Rowland Hill, with the 2d and Lieut.-General Hamilton's divisions, and Major-General Long's cavalry, marched from his cantonments near Albuquerque upon Merida, and thence upon Almendralejo. These movements induced General Drouet to retire from Villa Franca upon Hornachos, in order, I conclude, to be in communication with General Darican's division, which was about La Serena.

I have heard from Sir Thomas Graham and Sir Rowland Hill to the 19th instant. The former was at Los Santos and Zafra, with General Slade's cavalry at Villa Franca; and the latter at Almendralejo. Lieut.-General Sir Rowland Hill took three officers and a few hussars prisoners in Merida.

I have reports from the neighbourhood of Ciudad Rodrigo of the 17th instant. The enemy had sent a small detachment to Bejar, principally with a view to plunder; but there was no appearance of any immediate movement. The 6th division had moved from Talavera, through the Puerto del Pico, on the 8th and 9th instant; and the 4th division, on the same days, from Toledo through the Guadarrama; and the first division only remained on the Tagus, near Talavera.

BANKRUPTS.

W. Dickison, Durham, innkeeper.
G. Stokes, Oldswinford, Worcester, ironmonger.

PRICE OF STOCKS ON SATURDAY.
3 per Cent. Cons. . . . . 59⅝—Consols for Acc. . 59⅞

THE EXAMINER.

London, April 5.

The question of peace or war between France and Russia remains undecided. Bonaparte still lingers at Paris, notwithstanding all the rumours to the contrary; and it is by no means improbable, that the powerful and threatening

attitude assumed by the Conqueror in the North, will have the effect of drawing ALEXANDER into a compliance with all the demands of NAPOLEON, however unjustifiable and outrageous. The Russians have been ridiculously wasting their strength in an idle though bloody contest with the Turks, whom they cannot even subdue; and it is hardly possible to suppose that they could make a successful stand against 300,000 veteran troops, headed by most experienced Generals.

The Gazette of last night contains some intelligence transmitted by Lord WELLINGTON, who has successfully commenced the siege of Badajoz. The garrison, which is said to be commanded by a brave officer, named PHILIPPON, made a sortie on the besiegers, but were driven back with much loss on their part. It does not appear, from his Lordship's accounts, that the French are in any great force in that quarter; but the general opinion however is, that the enemy will attempt to save the fortress, and that a sanguinary struggle will ensue. The allied force is estimated at 60,000 men, and it is admitted that the French will be able to collect 65,000; so that there is nearly an equality of numbers.

The report that the French squadron from L'Orient had got into Cherburgh is not true, and there seems just ground to fear that it has fallen upon our West Indian fleet.

No official intelligence has been received relative to the Orient squadron since the Nyaden saw them on the 14th ult. But the Cork Papers, which arrived on Saturday morning, contain the following—

Cork, March 30.

The brig Martin, of Dublin, from Teneriffe, arrived in the harbour of Kinsale last night—fell in with the Mary outward-bound West Indiaman, in lat. 46. 0. N. on the 14th of March, who says, that she was in company with three other sail of West Indiamen, when they fell in with the French Fleet, consisting of six sail of the line and two frigates, who captured the three other vessels, she being the only one that escaped.

The Rover, of 18 guns, arrived on Friday at Portsmouth from off Cape Finisterre. On the 16th ult. in lat. 44. 35. long. 14. 28. she spoke a sloop that had seen on the day before four sail of the line and three frigates standing to the north-west under a press of sail. Again, on the 21st, in lat. 47. 55. long. 16. 33. she fell in with a schooner, evidently from Gibraltar, that had been plundered and abandoned by the enemy on the 19th. It was on the 9th the enemy left L'Orient, and it would thus appear, that up to the 20th, they had suffered no interruption on their cruise, although confined to nearly the same ground.

Paris Papers received yesterday contain several Addresses to BONAPARTE from Electoral Colleges, with his replies to each.—In one he says,—"My people shall see me always ready to undertake every thing to ensure the triumph of France over the hatred of England. I confide in their thinking no sacrifices too great, when they shall be deemed necessary."—In another he says—"The city of Tours suffers from the mediocrity of the harvest—nine years plenty succeeds one of mediocrity in France. My people cannot better prove their love for my person than by shewing that calmness and resignation which circumstances require."

BONAPARTE is still at Paris. On the 21st ult. he was employed in reviewing the troops before the Thuilleries, and on the 26th ult. they tell us he inspected a new Bridge, attended by "only five persons."

Some disturbances, on account of the high price of provisions, lately took place at Caen, in France. A Military Commission was immediately appointed to try the unfortunate authors;—nine persons (four men and *five women*) were condemned to death and promptly *executed*; eight were sentenced to eight years imprisonment and hard labour; and ten to five years solitary confinement!

A new armistice is said to have been agreed upon between Russia and Turkey.

Captain HARVEY, of the Rosario, has been made Post for his gallant conduct in the late action with the French flotilla; and Mr. DYER the Midshipman, who was wounded, has had a Lieutenant's Commission.

BARON GERAMB.—The neighbourhood of Bayswater, where this foreigner resided, had been the scene of much curiosity and bustle previous to Wednesday last. The attention of the passenger was arrested by a placard affixed to a pole at the top of the Baron's house, with the following words, printed in large characters:—"My house is my castle; I am under the protection of British law." A warrant from the Secretary of State's Office for the apprehension of Baron GERAMB had been issued on Monday. The Baron refused to surrender himself to the bearers of the Secretary's warrant, and at length application was made at Marlborough-street Office for assistance to carry the warrant into execution.—Hamilton and Craig accompanied the messengers to the Baron's house to force an entrance, in the event of a refusal to surrender. The Officers forced the garden-gate with hatchets. The prisoner resigned himself, on the Officers assuring him they were not bailiffs, and was lodged in Tothill Fields Bridewell.—Baron GERAMB was sent off on Friday to the coast, in a chaise and four, from whence, under the Alien Act, he is to be conveyed out of the country.—It is said that a Correspondence of a very unbecoming nature was discovered between him and persons in Sicily. It is also said, that he had written to Ministers, making very exorbitant demands on the national generosity, and had become extremely troublesome, not only for his importunity, but for the menaces with which his applications were accompanied.

The departure of this Illustrious Stranger has given rise to various conjectures. For our part, our feelings are confined to the effects, which may be produced on the visage of a much more Illustrious Person, who has long been said to *whisker* at the departed Baron's mustachios. It is said, that as soon as the arrest was meditated, the whiskers began to stand on end on the Royal face; that when his arrest was effected, they shrunk up as if conscious of violation; and it is since concluded, that the Baron is now out of the country, as they have actually dropped off.

The *Morning Post* of yesterday is bravely indignant at "the sullen and criminal apathy on the part of the Executive Power," for suffering the Sovereign Head of the Empire to be defamed, with impunity, by the weekly libellers! The Editor, too, talks of "decency, private virtue, and public morality."—Now, will that delicate denouncer answer one question?—Where was the decency, the private virtue, or the public morality, of appointing to a high situation in the Regent's Household *a grey-headed adulterer*?

The Easter festivities were kept up in the City in the usual way. The Aldermen stuffed and swilled themselves sick, and then went to bed to

Eat in dreams the custard of the day.

Bank of England Notes.—The *Pilot* states the following curious fact, from a source which it deems wholly indisputable:—"From one of the most wealthy and respectable Banks in this country the Bank of England received a package of *their own Notes*. These Notes were subjected to the customary investigation, and one of them pronounced upon, and returned, as a *forged* Note. The private Banker, accustomed to exert, not only a due, but a very jealous, vigilance, was struck with astonishment, and, again scrutinizing the Note by all known tests and all possible modes of examination, solemnly declared to his partner—*that if that Note was a forged one, then there was an end to* all security, *and it was full time for them to close their doors, and bring their establishment to its final doom!* The Note was returned to the Bank of England, accompanied with a most respectful request, that it might be re-examined, when, upon a *closer* inspection, it was found to be *genuine*, and passed to account!!

The total value (according to a statement from the Bank) of the Forged Notes presented at the Bank of England for payment, and refused, from being forged, for the eleven years, from 1st January, 1801, to 31st December, 1811, is 104,661*l.* The above return, it is said, includes all forged notes supposed to have been fabricated on the Continent, and presented within the aforesaid period.

On the meeting of Parliament a question will be asked as to the state of the proceedings under the extent against the estate of Mr. Villiers, and as to the settlement of his accounts? For two years the absence of his deputy has been the *excuse* for not investigating the long arrear. It is obvious, that the impunity which defaulters have experienced, is the cause of the frequency of defalcations.

Mr. Chinnery, it is said, has left the country for America. How is this? When a little rogue flies, he is sure to be pursued and taken; but the VilliersES, the Hunts, the Woodfords, the Cityzens, &c. &c. all manage to move off with the utmost privacy.

Funeral of John Horne Tooke, Esq.—Monday, and not before, the remains of John Horne Tooke were deposited in the family vault at Ealing Church-yard, Middlesex. The hearse was drawn by six horses, and was followed by three mourning coaches and eight gentlemen's carriages. Many of his friends met the funeral at Ealing, to pay their last respects to his remains—and there were besides a great concourse of people to witness the interment. Among those who went from Wimbledon, where Sir Francis Burdett, Wm. Boswell, Esq. Sir Wm. Rush, Major James, Robert Knight, Esq. Timothy Brown, Esq. William Morgan, Esq. Mr. Adams, Mr. J. Pearson, Mr. Brooks, Mr. Thomas Hardy, Mr. Stephens, Mr. Miller, and Mr. Wildman, nephew to Mr. Tooke.

New Costume.—We understand that the alteration in dress is not to be confined to the Army and Navy, but that the new *æra* is to be marked by a change in the costume of all the other professions. It is now reported that a material change is to take place in the habiliments of the Clergy; we have not heard of what the alteration consists, except that the new dress for the Bishops is very magnificent, and is adorned with a profusion of *gold lace* and *sugar-loaf* buttons.—*Chronicle.*

Bread.—Tuesday the Lord Mayor, after inspecting the returns, ordered it to rise 3d. per peck.—The Quartern Loaf is now Eighteen-pence three farthings!!

COMMISSIONERS OF BANKRUPTS.

"During the meeting of the second List of Bankrupts in the New Room, Guildhall, on Saturday last, Mr. Williams, a grazier, and three other persons, were robbed of their watches."—*Times* Newspaper, April 1, 1812.

Mr. Examiner,—The general character of your paper renders it unnecessary for me to offer any apology for troubling you with a letter, the object of which is to draw the public attention to a *growing evil*, the progress of which might, I should imagine, be easily stopped: I allude *principally* to the mode of conducting the business of Meetings of Creditors, under Commissions of Bankruptcy, at Guildhall. Truly may it now be said, in the language of the early Acts of Parliament relating to Bankrupts, "that those kind of persons have and do still increase into great and excessive numbers, and are like more to do, if some better provision be not made for the repression of them."—Such were the sentiments of our legislators in the time of Queen Elizabeth; and to remedy the evil, they directed that the Lord Chancellor should, by Commission under the great Seal, appoint such "*wise* and honest and *discreet* persons as to him should seem meet," to superintend the affairs of Bankrupts; and the powers granted to these Commissioners by the various Statutes are very great, and certainly, *if properly executed*, highly beneficial both for Bankrupts and Creditors; and perhaps, of the *regulations* which are made with regard to the *Commissioners* themselves, that is not the least important, which directs (after lamenting the grievous expense attending the prosecution of Commissions) "that no money whatever shall be allowed for the eating and drinking of the Commissioners;" and further, "that no Commissioner shall receive more than 20s. at each *meeting*, *on pain of being disabled to act as a Commissioner.*"—It should be here premised, that in London there are 14 Lists of Commissioners appointed, each list consisting of five, and three of whom form a quorum. Thus much by way of introduction.—Let us now examine how the Commissioners discharge that part of their duty which relates to public meetings for proof of debts, &c. at Guildhall, which I think it is not too much to say, are most *scandalously* conducted. One fact in a "*tangible*" shape is worth a dozen assertions:—A friend of mine having occasion, unfortunately, to attend one of these meetings (it was on a Saturday not long since), induced me to accompany him, saying he should not be detained two minutes, as his business was merely to prove an *undisputed* debt: how far he as well as myself were deceived will appear in the sequel. On entering the Commissioners' room, I was much surprised at the immense concourse of persons there assembled, and the tumult (not to say riot) consequently occasioned; and I could not help inquiring, whether any very great man had become Bankrupt, and this a meeting of Creditors under his estate; but my friend soon undeceived me, by pointing significantly to the List of Meetings sticking up in the Hall; upon examining which, my astonishment was not a little increased, when I found that the three of these "*wise and honest and discreet*" Commissioners, belonging to that list with whom my friend's busi-

ness was, were absolutely PRETENDING to conduct the business of TEN different meetings, under ten different Bankruptcies, all at the *same time*, and all at one and the same table; (and *that* exclusive of the disturbance occasioned by many of the other lists of Commissioners being SIMILARLY engaged in the same room); so that, literally, no business at all could be done with that precision which these matters *most particularly* require; and my friend (who, truly, when he could obtain an audience, was not engaged two minutes), was by these means detained nearly two hours.—I found, too, that these "*honest*" Commissioners did not fail to receive *each* his 20s. for *each* meeting, which, I must confess, seemed to me (as a creditor) to be paying a great deal of money to very little purpose; and I must add, appears to me to be a violation, at least, of the SPIRIT of the above-quoted Acts of Parliament, as well as of the *Commission* itself, which expressly authorises the Commissioners to act, upon a confidence which is reposed in their "wisdom, fidelity, *diligence*, " and PROVIDENT CIRCUMSPECTION."—What is the consequence, or, rather, what are *some* of the many ill-consequences of this?—We may fairly suppose, that some of these ten meetings were for Bankrupts to pass their examinations, and make a FULL DISCOVERY of their effects for the benefit of the Creditors! How is it *possible*, I would ask, to investigate such accounts (which are but too often mere fabricated or garbled accounts), in the midst of this confusion? Perhaps some one "DISCREET" Commissioner would say—"We must adjourn the meeting;" and this word, this ELECTRIC word "*adjourn*," is immediately caught by the other "*honest*" Gentlemen, and the notable triumvirate hold out their hands *each* for his twenty shillings, and then adjourn till some future day, when the same farce is repeated; so that the deluded Creditor at last finds he would have saved money, by suffering the accounts to have passed at the first meeting. I do not mean to say it is the wish of the Commissioners to encourage this, but it is a *natural consequence* of the confusion. What an encouragement, too, is by these means held out to fraudulent Bankrupts, connected with swindlers, to get *fictitious* debts *proved* (as it is called). I speak here upon the best authority, having myself heard the Lord Chancellor very lately declare, in public Court, that he had credible information of the existence of a gang of swindlers in the metropolis, associated for the purpose of fabricating Bills of Exchange, &c. to enable themselves to swear to these false bills, and thereby entitle themselves to sign the Bankrupt's Certificate, which, when obtained, operates to release the Bankrupt from all further trouble, and thus the honest Creditor is defrauded!!—The lines I have prefixed as a sort of motto, point out another and a most glaring and disgraceful consequence!—Is it to be endured that these things have become so notorious, that even common pickpockets shall resort to these scenes of tumult and riot, and yet no redress is afforded, while the remedy is so obvious!!—Much more might be said upon this subject, but that I am fearful of having already exceeded your limits; and, in conclusion, I beg expressly to declare, that these observations are not directed as against the Commissioners individually; but as a body of men, the folly (to say the least of it) of their system is, I consider, fairly open to discussion.—I am, Mr. Examiner,

Yours, &c. TRUTH.

THEATRICAL EXAMINER.

No. 113.

COVENT-GARDEN.

THE most prominent attraction in the performance of *Julius Cæsar* is the *Cassius* of Mr. YOUNG. It is full of fire, and yet marked with the nicest discrimination,—a rare combination, in which this actor promises to excel all his contemporaries, and of which the passage in his conference with *Brutus*, beginning "I know that virtue to be in you," would alone be a finished specimen. This speech is a string of varieties, from the commonest colloquial familiarity to the loftiest burst of passion; and Mr. YOUNG passes from one to another with the happiest instantaneousness of impression—from an air of indifference to one of resentment, from anecdote to indignant comment, from the subdued tone of sarcastic mimicry to the loud and impatient climax of a jealousy wrought up into rage. The transition in particular from the repetition of *Cæsar's* sick words to the contemptuous simile they occasion, and from that again to the concluding burst of astonishment, accompanied with a start forward and a vehement clasp of the hands, is exceedingly striking. As there is no single passage in SHAKSPEARE more various in expressing the shades of passion and discourse, so I do not remember a speech delivered on the stage by which the actor more nearly approaches to the ideal picture of the person he represents. There is none therefore that deserves better to be recorded as one of the uniques of it's day; and if Mr. YOUNG proceed in this manner to study his part *ambitiously*, and to read his poet with that searching and patient eye which will alone enable us to catch all the pith and scope of his eloquence, I repeat with still greater confidence than before, that he will soon oust Mr. KEMBLE from the throne which his grave cant has usurped, and place in it a proper being of flesh and blood, who feels and speaks like a susceptible creature.

The next performance in merit is certainly that of *Antony* by Mr. CHARLES KEMBLE, who in pronouncing the celebrated speech over the dead body of *Cæsar* manages with great nicety the difficult point of insinuating the sarcasms against the conspirators without coming broadly to them at once. He also looks the character to perfection, as SHAKSPEARE has represented it; and so do Messrs. YOUNG and KEMBLE theirs, with the exception of their respective ages, which ought to look the reverse of what they appear, for *Cassius* was an old man compared with *Brutus*. With respect to Mr. KEMBLE's performance, it is excellent as far as philosophic appearance and manner can make it so, and his general conception of the character is just and impressive; but *Brutus*, who affected pithiness of speech, never thought of recommending it by a drawling preachment; and really this artificial actor does so dole out his words, and so drop his syllables one by one upon the ear, as if he were measuring out laudanum for us, that a reasonable auditor, who is not to be imposed upon with the multitude in general, has no alternative between laughing or being disgusted.

But in the name of all that is serious and fitting, let us have a more endurable *Cæsar* by next year, if the play keep possession so long. SHAKSPEARE has distorted and mumified *Cæsar's* character enough, as it is; but what little remained of familiarity and of gentlemanly bearing in it, Mr. KEMBLE is determined to make all of a piece with

the rest. Every action is lofty, every look tragic, every turn of step and of feature imperial and bluff. When *Cæsar*, upon a representation of *Antony's*, that *Cassius* was not a dangerous man, pleasantly wishes that "he were fatter," Mr. Egerton takes it in the light of a serious and impassioned desire, and mouths out the words like a stage-tyrant who wishes a man in his grave; and when *Antony* is familiarly requested to step on the other side of him, because the ear at which he is standing is deaf, he delivers the request with as much dignity, and motions him round with as much mysterious solemnity, as if he were asking him to defend his other side from an assassin.

FINE ARTS.

Erratum in our last.—For ostentatious colouring, read unostentatious.

BRITISH INSTITUTION.

Mr. Hofland's improving pencil is guided by an accomplished taste. 153, *A Land Storm, a composition from scenery in the Pass above Llanberris, North Wales*, reminds us of the touch, colouring, and magnificent composition of G. Poussin. It is to be lamented that young artists of talent do not always separate the defects from the merits of a great master, whom they have in view in compositions of their own. We recognize in parts of Nos. 77 and 81, *Landscape compositions*, the unpleasant tawny hue, which is sometimes seen in parts of G. Poussin's landscapes, and which is particularly insipid and inefficient in the shadows. Mr. Hofland's *distant View of Winandermere, Morning*, is a combination of noble scenery, harmonious colour, and, in parts, felicitous pencilling. If beheld with the eye of one, who, to a judicious eye, adds the belief of Mr. Taylor the Platonist in the presiding deities of the ancient Greeks, he might almost be disposed to fancy, that the artist's pencil had been guided by some unseen Sylvan Power, who refined his taste and directed his hand as he traced the rugged foreground, with its graceful clustre of trees, and rivulet tumbling among the craggs; that some Naiad had spread the translucent lake beneath the blue tinctured hills; and that the God of Painting, as he superintended the whole, had arranged the chiaroscuro, and tempered the grey coolness of the morning tints with warm effusions from his refulgent car.—79. *The Dairy, Morning*, J. Linnel. This subject has been painted with an accurate eye to the time-torn aspect of an old farm-house and its appendages, and to the effect of sunshine as it darts between some foliage on a wall and some children, &c. Though there is as great a diversity of hues as is possible to be in a landscape, they are perfectly chaste and natural, and the gradations from the highest light to the deepest shadows are beautiful. The whole is drawn with a firm pencil, but the effect of the colouring would have been improved, had the blue in the sky been balanced by that colour being more conspicuous in the fore-ground. His *View on the Thames*, 188, possesses his usual truth of colour, shape, &c. in the grey water and sky, and reddish brown cottage, bank, and boats, which relieve with great force, and present an excellent effect of sunshine partially breaking through the clouded atmosphere. These, with 186, *a Scene on the Coast near Dover*, possess that masterly identification of common nature conspicuous in the Dutch masters, and exhibit uncommon purity of taste in the artist.

93, *Travelling Tinkers*, A. W. Calcott, R.A.—The mere mention of this excellent Artist's name calls up in our minds recollections of Nature in her various and genuine aspects, her vigorous touches, and tones of light, shade, and colour. This piece describes a truly English scene, in which itinerant tinkers are reposing on a summer eve, in a hollow under trees. It is a rich and masterly effect of sunshine, and of the harmonious arrangement of the grey, blue, and yellow tints. There is a little degree of hardness in some of the forms. 195, *A Study from Nature*, by the same Artist, is a striking proof of the interest that genius can confer on comparatively indifferent objects by a faithful and vigorous application of the principles of Nature, or of Art as deduced from Nature. Here is only a few stunted trees, a railing and shrubs bordering a pool, a heath, and a row of distant houses among trees; but such is the force, clearness, and breadth of the chiaroscuro and colour, such the judicious balance of different tints, and such the spirit with which the objects are drawn, that the Artist prevents the least wish for a more important subject.

114, *A Study from Nature*, is a similar instance of accomplished talent, and is purchased by Mr. R. Ashby. 113 and 121, *Morning and Evening Scenes from Nature*, are in Mr. B. Barker's usual chaste grey tone, and represent an extensive and beautiful country, through which the eyes meanders along a river that mixes with the horizon; the whole seen over a hollow and craggy fore-ground. These Landscapes obtain much increased value from well painted groups of cattle; and the calmness and sequestration they exhibit, together with the warm and mild radiance of the evening, and the cold and sober aspect of the morning scene, excite an agreeable serenity of feeling, equally remote from mirth and melancholy.—132, *A Cottage and Figures*. Miss Goldsmith has here well sustained her credit for the delicate pencilling, harmonious colour, and air of truth, that mark her rural pieces.—Mrs. Coward Stone, in 186, *Composition; a Study after* Titian, has exhibited much genuine feeling for the bold pencilling and grand style in Landscape of that great master. Her *View of Wardor Castle* evinces a rapid improvement, and is so well composed, and has so unaffected an arrangement of light and shade, grey colour, and spirited touch, that before referring to the catalogue, I mistook it for a performance of Mr. B. Barker.—Mr. P. Reinagle, sen. has been successful in the purchases that have been made of his pleasing little Landscapes,—some however of which have a harshness in the skies.

R. H.

THE KING'S ILLNESS.

MEDICAL BULLETIN.

"*Windsor Castle, March 28.*

"His Majesty continues nearly in the same state."

Windsor, March 29.—Yesterday being the last Saturday of the month, the Queen's Council assembled here to receive a report of his Majesty's health from the Physicians. There were present, the Archbishops of Canterbury and York, the Duke of Montrose, and the Earls of Aylesford and Winchelsea. It was stated, that the King had been less agitated since the last meeting of her Majesty's Council, though in the course of the last fortnight he had been more restless and disturbed; that his bodily health had improved, but his mind continued as diseased as ever.

COURT AND FASHIONABLES.

The PRINCE REGENT has, we understand, recently discontinued altogether the reading of newspapers!—(*Pilot.*)

"We understand it is settled, that her Majesty the QUEEN is to hold a Drawing-room at St. James's, the week after next, at which the Princess CHARLOTTE will be presented, together with a number of other Ladies. Rumour, which is ever busy on such occasions, says, that this arrangement has been rendered necessary by the determination of another Personage to hold a Court."—*Morning Chronicle.*

THE ROYAL COMMUNICANT.

The following account has appeared in the various Newspapers:—

On Easter Sunday, the Prince Regent went in state to the Chapel Royal, St. James's Palace. About half past eleven o'clock a party of the Life Guards marched into Pall-Mall, and drew up before Carlton-house. It being the first time of his Royal Highness's appearing in public in state since his becoming Regent, a very considerable crowd was attracted. About twelve his Royal Highness's four state carriages began to move, which was announced *by sound of trumpet.* The three first carriages contained Col. Bloomfield (Principal Equerry), Col. Congreve (Equerry in Waiting), Earl of Harrington (Gold Stick), Gen. Barton (Silver Stick), Gen. Stevens (Groom in Waiting), Master Arbuthnot (Page of Honour). The Prince Regent rode in his state carriage, in which also sat the Marquis of Winchester, as Lord in Waiting, and the Duke of Montrose, as carrying the Sword of State. They alighted at the new entrance to the Palace in the garden, made in consequence of the fire, and entered at the Page's waiting-room, where the procession was formed, and proceeded to the Chapel Royal.—The Prince Regent took the King's seat in the Royal Pew, surrounded by his Royal Brothers, and attendants. The public curiosity had been raised to such a pitch, that the Chapel door from the Palace had been forced in soon after eleven o'clock, and great numbers of persons thus got in. The Chapel was crowded to excess, as well as the state-rooms in the Palace through which the procession passed. The church service was read by the Rev. Mr. Pridden and the Rev. Mr. Cannon. The sermon was preached by the Archbishop of York, from the 4th Chapter of the Acts, 33d verse:—

"And with great power gave the Apostles witness of the resurrection of the Lord Jesus: and great grace was upon them all."

At the conclusion of the sermon, a selection from the *Messiah* was sung: the solo "If God be for us," and "The Trumpet shall sound," and the duet "O death where is thy sting,"—The whole concluded with the demi-chorus "Since by Man came Death." The Chapel was then cleared of all persons who were not allowed to receive the Sacrament with the Prince Regent; after which his Royal Highness descended from the Royal Pew, the above procession moving in the same order to the Altar, the Royal Dukes on the opposite side. The Bishop of London and the Rev. Mr. Holmes proceeded to read the Sacrament Service, and administered it to the Prince, the Royal Dukes, and the Royal Attendants. After which the procession returned in the same order.

"We copy with pleasure (says the *Courier*) the following paragraph from the *Morning Chronicle* of to-day. It sufficiently shews the popularity of the Prince, notwithstanding all the efforts of the "early friends" to undermine it:"—

'The preparations for the religious ceremony of the Prince Regent taking the Sacrament on Easter Sunday, were made with great care, and the pomp was magnificent. It was remarked, that the multitude who were assembled on the outside the Chapel, to witness the royal cavalcade, seemed to be impressed with the just sentiment of a holy rite, *for they broke out into acclamations on the Prince Regent's appearance,* but afterwards remained in the most decorous silence.'

"*TO THE EDITOR OF THE MORNING CHRONICLE.*

"Surely, Sir, you must have been misinformed with respect to the behaviour of the people on the occasion of the Prince Regent's grand procession to the Chapel Royal on Sunday last. True, that there never was a spectacle got up with more magnificence or splendour; but it certainly was not applauded by the people; not a hat was waved, not a voice was heard. There was perfect silence in the crowd while the Prince Regent passed along.

"A SPECTATOR."

"*** We thank our Correspondent for giving us an opportunity of correcting an error which occurred by the omission of a *single* monosyllable. The paragraph should have stood:—"The People broke out into *no* acclamations on the Prince's appearance, but remained in the most decorous silence.—*Ed.*"

"THE PRINCESS OF WALES AND MR. PERCEVAL.

"In the House of Commons, on Wednesday night, a Debate took place on the Message of the Prince Regent, relative to new Establishments for the Princesses. This debate took an interesting turn, in consequence of some strong and feeling allusions to the Princess of Wales.—Mr. Perceval, the *pious* Mr. Perceval, had been the Counsellor and the friend of this illustrious, and, we believe, deeply injured Personage—he had been the champion of her cause, and the Public Accuser of those suspected of having aimed a blow against her reputation and her happiness—he proclaimed her innocence, and defied her enemies to substantiate a single charge derogatory to her honour—yet the moment he had it in his power to serve her, and prove the sincerity of his former professions, the *religious*, the *pious*, the *moral* Mr. Perceval, passes by his Client with marked neglect—he abandons his friend—the "illustrious and injured Stranger" is forgotten; and in the intended arrangements for the comfort and dignity of the Princesses of England, the Wife of his Royal Master—the Princess Regent, the future Queen of the British Empire, is not noticed! not even once alluded to in the Message from the Throne, though that Message was drawn up and presented to the Legislature under the direction of her late Counsellor and friend! Should we then wonder at the treatment Ireland receives at the hands of this man, when gratitude to his Royal Client is banished—when the ties of friendship are with him so easily broken—when calumniated virtue and persecuted innocence cannot expand his heart?—The tear may fall upon the cheek of injured beauty, but the *pious* Mr. Perceval will not stretch forth his hand to cheer the sufferer, lest he should loose his balance, and totter from the seat of power!! In the course of this debate, the reported *Separation*, the *Delicate Inquiry*, and the suppression of *The Book*, were all touched upon. At last, Mr. Perceval—the *pious*—the *tolerant* Mr. Perceval rose, with, apparently, great reluctance, and coldly declared, "*he could not recollect any thing which it was possible to bring as a charge against the Princess of Wales.*"—Now, this we conceive the important point, for a *total separation* has been much spoken of; and it has been roundly and very generally asserted, that the intended measure of *separation* was closely connected with Mr. Perceval's continuance in office; but as the Minister cannot bring a charge of criminality, THERE CAN BE NO GROUND FOR THE SEPARATION—and this may ultimately preserve England from much distraction and calamity."—*Dublin Evening Post.*

CITY

PETITION OF THE LIVERY OF LONDON.

A Common Hall is appointed for Tuesday next, to receive the Report of the Sheriffs of the Prince Regent's Answer, when they waited upon him to know his will and pleasure when he would receive their Petition. It seems that his Royal Highness has been advised not to receive it upon the Throne. The Livery of London have ever presented their Petitions in that way. In 1775, during the Mayoralty of Mr. Wilkes, this right was first denied by the memorable letter of Lord Hertford; and it ought to be recollected that the object of that Petition was *to prevent a War with America:* had it been received, and its prayer been complied with, all the calamities which followed would have been prevented. We believe, that it was not until the fatal war of 1793 against revolutionary France, that the Livery of London again attempted to gain access to the Throne —they were again denied the exercise of this right—had they been received and their prayer complied with, all those dreadful disasters which followed, and the calamities we are now suffering, would have been avoided.—This is "a new æra," the Livery of London have again claimed the exercise of the privilege of pouring forth their complaints at the foot of the throne —to state their grievances, and to endeavour to obtain a reformation of intolerable and universally admitted abuses, as well as to avert the ruin which must inevitably follow; they are again, and in this "new æra," denied the exercise of this right: this is not signified by a letter from Lord Hertford, but beyond a doubt origioates from the most pernicious influence, from whatever quarter it comes.

The right of petitioning is one of the most invaluable rights we enjoy—this violation of right, was therefore, at the period of our revolution, one of the greatest grievances complained of, and one of the most essential things guarded against in the Bill of Rights—and to present a Petition on the Throne, is the most important right we can possess—for as it is expressed in the celebrated letter of Alderman Wilkes (then Lord Mayor) to Lord Hertford, "The privilege, my Lord, for which I contend, is of very great moment, and peculiarly striking; when his Majesty receives on the Throne any Address, it is read by the proper officer to the King, in the presence of the Petitioners. They have the satisfaction of knowing that their Sovereign has heard their complaints. They receive an answer. If the same Address is presented at a Levee, or in any other mode, no answer is given. A suspicion may arise, that the Address is never heard or read, because it is only received, and immediately delivered to the Lord in Waiting. If he is tolerably versed in the supple, insinuating arts, practised in the magic circle of a Court, he will take care never to remind his Prince of any disagreeable and disgusting, however important and wholesome, truths." It is presumed that the Livery will not in the present new and eventful æra feel less ardour in supporting this right than what has been so honourably evinced in former times. When we see that the Petitions of the Livery, if received and attended to, would have prevented the American War—and also the last wars of 20 years' duration, the end of which no one can foresee, with what contempt must we view the infamous calumnies of those hirelings who would represent the great Corporate Body of the City of London as an illiterate rabble!—Let the Philosopher and the Statesman coolly examine their views as expressed in their proceedings for the last 50 years, and compare them with the mad and infamous measures of intriguing and trading politicians, who have so miserably conducted our affairs. Every dishonourable means have been resorted to to counteract the proceedings of the Livery of London; when all have failed, calumny, and misrepresentation have been resorted to. Previous to the last Common Hall, the interested tools of Government met privately at taverns to vilify the character and proceedings of the Livery—previous to the last Common Hall, letters had been privately circulated to all the supposed tools of Ministers, requesting their attendance at the Hall. It is hoped the Livery of London will resent and counteract these secret and unmanly proceedings, and that every free and independent Liveryman who values his undoubted and unalienable rights will attend at the Common Hall on Tuesday next to support them.

The Prince Regent's answer to the Sheriffs was as follows: "I shall receive your Petition at my levee to-morrow se'n night, in the usual way." One of the Sheriffs addressed the Prince in the following words:—"Will your Royal Highness allow us, officially placed, as we are, in your Royal presence, as the organ and servants of the Livery of London, humbly to ask, whether it is intended to receive the Deputation appointed by the Common-hall, at the Levee, to present their Address?" The Prince Regent answered:—"There are certain forms attending that; but I think the best way will be for me to communicate with the Secretary of State, who will inform you."

In consequence of this answer, the Sheriffs waited on Mr. Ryder on Friday afternoon, who informed them "their Petition would be received like other Petitions from Town or Country."

We understand that a Requisition has been signed, to request the Lord Mayor to give notice to the Livery that a motion will be made at the Common Hall, to present an humble Address to the *Princess Regent*. We do not know what is to be the purport of such Address, whether of congratulation or condolence.—*Morning Chronicle.*

INDIA COMPANY.

A very long discussion took place on Thursday at the Meeting of East India Proprietors, relative to the renewal of the Company's Charter. A Resolution, partly composed by Mr. JACKSON, and partly by Mr. G. JOHNSTONE, was unanimously agreed to, expressive of the satisfaction with which the Court viewed the zeal and fidelity manifested by the Court of Directors throughout the negociation; stating their concern, that no proposition for an increase of dividend, either now or hereafter, or advantage of any other kind, to the Proprietors, was mentioned, although the Charter of 1793 was begun with an increased dividend of 2½ per cent., and yet only a partial opening of the trade was required; and concluding with a hope, that, if Government ultimately determined on an enlargement of the trade, sufficient checks and securities would be provided to preserve the present system of Indian Legislation. A Petition to Parliament was also brought in, and approved of.

NEW LOCAL MILITIA BILL.

MR. EXAMINER,—While the Members of Opposition are lost in wonder and amazement at the conduct of G. P. R., the Ministers seem to be bustling with much activity; like sailors hauling on board the fore tack, they watch the opportunity of the sail shaking in the wind, to get it well home and belayed before it fills again.

As an instance of the truth of this observation, I wish to call your attention to the Local Militia (read Conscription) Bill, now marching through the House of Commons, with as much ease as our modern fops march through the lobbies of our theatres, and as little noticed, while, strange to tell, the personal liberty of Englishmen is the subject of it!!—But let me delineate some of the features of this Bill: If you are drawn, Mr. Examiner, you are not to be allowed to find a substitute; you must serve four years, or pay, if your income does not exceed 100*l.*, 10*l.*; above 100*l.* and not exceeding 200*l.*, 20*l.*; above 200*l.*, 30*l.*

Having paid this fine, perhaps you might imagine you were free from further molestation, at least for the time you would have been obliged to serve, had you not paid;—not so, Sir, only two years, and then you will be liable to be drawn again—not to mention the monstrous inequality

of the fine, the man of 10,000*l.* and him of 300*l.* per annum paying the same.

Again, you are not to be allowed to subscribe to *any* society to protect yourself against the fine, under a penalty of three times the amount. But you are a Volunteer, Sir; you have cloathed yourself at your own expense—have given up your time to military duties, and are therefore exempt. No, Sir, that privilege is taken away by the Bill. Volunteers indeed are to be permitted "to *propose terms* to Government, upon which they will join the Local Militia!! It will be *merely* changing the name—*nothing more.* Now, Sir, this saving clause has been already announced to a Volunteer Corps, * but with an intimation, that if unreasonable terms are proposed, they will of course be rejected. We will suppose the Bill to pass with this clause. Will the Ministers accept any terms short of what the Bill enforces upon the Local Militia? I say, no.—This clause is intended as a kind of opiate, to lull the guardians of our liberties. Oh, say our Representatives, there is no danger: if any man is averse to the Local Militia, let him join a Volunteer Corps—they will be allowed to "propose terms!"—Propose terms! Mr. Examiner, like an insolvent debtor calling his creditors together, and proposing to pay them twelve pence in the pound.—Gentlemen, says the debtor, here is a statement, by which it appears I can pay no more: if you do not accept that, I must go to prison, and you will get nothing. In fact, if you do not choose to join on the Ministers' terms, you must stand the ballot.—Some Volunteers are prejudiced in favour of the name. *Volunteer* implies something independent; Local Militia implies coercion! imprisonment! flogging!!—aye, there's the rub—flogging! What Volunteer is there that could beg, borrow, I had almost said steal, the money to pay the fine, would submit to such degradation?—Indeed, Mr. Examiner, it appears throughout an indirect means of raising money.

Again, if you are serving in, or have paid the fine to be exempt from serving in, the Local Militia, it does not exempt a person from being balloted and drawn in the Old Militia. If this Bill passes, I shall not be surprised at another, with some specious name, to complete the business—some *Levy-en-masse*, as a kind of rear rank; so that if you escape one, you will be almost certain of falling into the other.—Where are our Whitbreads, Romillys, and Broughams, that they do not expose this system of finance and finesse? If you think these hasty remarks will tend to rouse our Senators from their torpid state, I am sure they will find a place in your paper, and will oblige

ONE OF YOUR READERS.

* Duke of Cumberland's Sharpshooters, commanded by Lord Yarmouth.

PUNISHMENT OF HIGH TREASON.

SIR,—A stronger proof of the crying necessity of a reform in our penal code than the sentence upon, and execution of, the two adherents to the King's enemies in the Isle of France, has not lately come before the public. If our newspaper criminal reports often teemed with such horrid sentences as that of the punishment inflicted by our law upon high treason, and if the executioner's "Behold the head of a traitor!" were a frequent exclamation from our scaffolds, the attention of the legislature would be forced to a revision of our penal code, at least *quoad hoc*:—

> For had not God, for some strong purpose, steel'd
> The hearts of men, they must perforce have melted,
> And barbarism itself have pitied traitors.

But what will the public think, when they hear that the sentence which was lately passed at the Surrey Sessions' House, condemning the prisoners to be hanged by the neck, but not till they be dead, their entrails then to be taken out and burnt while the men were yet alive, &c. (a sentence so savage that it could not be executed in the year 1812, but was commuted for decapitation *after* death)—that this sentence is mitigated down to mildness, when compared with the legal punishment of high treason, on account of the failure of execution of every iota of which, the attainder of Smith and Cundell may now be reversed by Writ of Error; and the lands, &c. of persons beheaded for high treason shall not be forfeited, nor shall their children be prevented from inheriting, although both these consequences shall befall the family of a wretch who is hung for stealing 12½*d.* from a man's person. See into what dilemmas the cruelty of the English penal code is constantly reducing itself!

The following extract from Eden's Principals of Penal Law, 1775, may prove "a word in season," towards the ultimate object of a complete reform of the English penal laws:—

"It would be a painful task to describe the executions of Ravaillac, and of Damiens; neither is it necessary to refer to the executive justice of Foreign nations. I shall confine myself on this point to the practice of England, which cannot be stated better than by an extract from the authoritative and nervous description of Sir Edward Coke, who, with great profusion of learning and a total want of common benevolence, enters into the following discussion in the presence and hearing of seven unhappy men, who were about to undergo this sentence full of horrors.† 'These traitors have exceeded all others, their predecessors, in mischief, yet his Majesty, in his admirable clemency and moderation, will not invent any new tortures or torments for them; but hath been graciously pleased to afford them as well an ordinary course of trial, as an ordinary punishment, much inferior to their offence. And purely worthy of observation is the treatment of law provided and appointed for high treason. For first, the traitor shall be drawn to the place of execution, as not being worthy any more to tread upon the face of the earth, whereof he was made; and with his head declining downwards, and as near the ground as may be, being thought unfit to take the benefit of the common air. He shall next be hanged up by the neck between heaven and earth, as deemed unworthy of either, as likewise that the eyes of men may behold, their hearts contemn him. Then he is to be cut down alive, and to have his parts of generation cut off, and burnt before his face, as being unworthily begotten, and unfit to leave any race after him. His inlayed parts shall be also taken out and burnt; for it was his heart which harboured such horrible treason. His head shall be cut off which imagined the mischief: and, lastly, his body shall be quartered, and the quarters set up in some high and eminent place, to the view and detestation of men, and to become a prey for the fowls of the air. And this is the reward due to traitors; for it is the physic of Government to let out ill blood.'

"It hath been affirmed, both with respect to nations and individuals, that the sentiments of benevolence bear a

† State Trials, vol. i. p. 235.

general proportion to the progress of science; but the name of Sir Edward Coke will not be cited in support of this observation. With great acuteness and depth of learning, he retained through life a hard, unpitying nature; that brutal insolence, which is so often produced in narrow minds by undeserved or unexpected prosperity, marked all his actions. His learning, indeed, was not of that kind which we call *literæ humaniores*: but it would be an inference highly injurious to the profession, to suppose that the practice of law blunts the sensibility of the mind.

"As to the punishment inflicted by our law on high treason, which occasioned this disgression, it appears formerly to have been a part of the judgment that the convict should be drawn upon a hurdle; but an instance is recorded in which Shard, J. ordered that nothing should be brought whereupon he should be drawn, "mes qui sans cley, ou autre chose a desouth lui, soit tray de chivaux, hors de la sale, ou it avait judgment, tanque a les furcs, &c."; (but that without hurdles, or other thing beneath him, he should be drawn by the hair out of the hall where he received judgment as far as the gallows.)—It was also a part of the ancient judgment, "que les privies membres soient excises de son corps, et combures deins son vieu:" but this was omitted by Lord Hardwicke in the judgments passed upon the four Lords in the year 1746, and in a former case had been thought unnecessary. Still, however, the criminal must be ordered to be cut down alive; for upon a writ of error, to reverse an attainder in the 8th of W. III. it was assigned for error that the Court had only directed, "quod interiora sua extra ventrem suum capiantur, et in ignem ponantur," (that his entrails should be taken out of his belly, and put into the fire), omitting "ipso vivente," (while he was yet alive), or "in conspectu ejus," (before his own eyes): and it was said by Lord Chief Justice Holt, that "though this omission be for the benefit of the party attainted, yet still it is error, for the judgment in all capital cases is stated and settled by the common law, which no court can alter." The attainder was thereupon reversed, and the reversal was affirmed in Parliament."

The whole pamphlet, from which these extracts are made, is inserted in the 1st vol. of Mr. Basil Montagu's philanthropic compilation of "the Opinions of different Authors upon the Punishment of Death." I am, &c.

Z.

PROSECUTION OF D. I. EATON.

Sir—I cannot but express my deep sorrow at the injurious insinuations of *a Friend to Free Enquiry*, touching that part *only* of his letter in the *Examiner* of last week, where he consigns an immense body of Christians, merely, I suppose, because their Chief Pastor is called the Pope (or father), to the fate of Pagans, Turks, and others, who disbelieve their Redeemer, and are ignorant that none, but through the virtue of his merits, can ever look for salvation; thus, as far as lies in his power, shutting them out from all visible claims to this blessed hope. I say nothing of his general proscription of them all from their natural rights, which, however, notwithstanding his feigned liberality of heart, he gives into with great complacency. He speaks of doing as he would be done by, and of his earnest wish to see the abolition of any part of religious punishment, and, at the same time, shuts out the whole of his Catholic Christian brethren from claiming any other privileges than what might be allowed to heathens and Turks. He should, before he speaks with such confidence about Popery, as he terms it, distinguish party spirit from the spirit of the *true* Christian, and not despise a vast body of those, who, in every respect, with others of their distinguished appellation, boast of thousands of their body, who seek for no higher honour than to deserve that name. How can any one pretend to look for the abolition of religious punishment, who is the first to prejudice and poison the minds of those very persons in whose power it is to effect it? His dark insinuation in the word persecutions, shews falsity, malevolence, and rancor. Unhappily, the demoniac spirit of party has, for these few last centuries, sadly prevailed among all denominations of Christians, under the old and insidious guise of religion, as well among Catholics as Protestants, many, on both sides, equally disgracing that holy name; and as many, on both sides, equally with *a Friend to Free Inquiry*, unacquainted with the true spirit of its Divine Author. If the Catholic religion be so detestable, it is very incomprehensible that so many should embrace it. It would appear that it was preferred by many, merely because it was persecuted: or why, without interest or profit, should so many enlightened and truly Christian people submit to be vilified, despised, and excluded from many rights, which other Christians in the same country enjoy? I conclude, by earnestly recommending this Friend to Free Inquiry, to have the charity to extend his researches much farther than he seems at present to have done, and inform himself more fully of the doctrine of that body of Christians, whom he ranks with Pagans and Mahometans, and, at the same time, to call in the aid of humility and diffidence of himself, or otherwise his warmest wishes upon the subject of toleration will inevitably be frustrated, and shew them to be nothing but fallacies.—I remain, Sir, your humble and obedient servant,

Chelsea, March 10. A. Z.

Sussex, March 18, 1812.

Sir,—That the publication for which D. I. Eaton has been prosecuted and punished is a gross libel on Christianity, is, to me, as obvious, as that the law against such writings is absurd, and that the prosecution of it is a most dangerous precedent to civil and religious liberty. That the law is absurd must be clear to those who have studied the constitution of the human mind, and the genius of that religion which it professes to guard. Punishment for mere opinion must be held indefensible by every liberal Judge. That it has produced myriads of hypocrites, but never a single conviction of the truth, is what Lord Ellenborough cannot deny. What then can be the object and effect of such prosecutions? "To prevent (we are told) the circulation of blasphemy, and to protect Christianity." But is it not certain that thousands, who were before ignorant of the existence of such a work, will now have their curiosity excited to examine its contents?—This is an effect which I am far from lamenting, because I am convinced, that where it makes one convert to Infidelity, it will convince hundreds of the extreme futility of the arguments by which it is defended. As to the pretence of guarding Christianity, nothing can be more preposterous: for it positively refuses all secular aid. "The weapons of our warfare are not carnal," is the assertion of its best advocates. "But we (says Mr.

Attorney-General) are grown wiser than your old fashioned disciples of Jesus; we have discovered that a little carnal correction is its best security." Defending Christianity by Acts of Parliament and judicial penalties, is like making a law to arm and discipline a regiment of Quakers, who refuse to fight! "But Christianity is the law of the land." Indeed! who would have thought it? It must surely be "a dead letter," or how happens it that Westminster-hall resounds with the litigations of those whom it forbids to go to law with each other? "But Paine has not only impugned this law, but is guilty of blasphemy." The two very crimes for which the glorious founder of our faith was himself condemned. "We have *a law* (said the Jewish lawyers), and by *that law* he ought to die" His *Judges* too exclaimed—"What need we any further witnesses? Ye have heard the *blasphemy!*" Nothing can be so vague as a charge of blasphemy, nor so absurd as persecution for the denial of the national religion. Who is to determine the nature and extent of these crimes? "The law, and the Judges as its interpreters." So said the Jews, the Athenians, the Catholics, and the Protestants of Geneva. For these crimes, thus settled, Servetus, the venerable Huss, and the incomparable Jerome of Prague, were burnt; Socrates was poisoned, and the Son of God crucified!

I cannot conceive any thing so likely to bring our tribunals of justice into contempt, as obvious partiality.—But of what crime has Eaton been guilty, which does not apply, in a much higher degree, to the publishers of the works of Voltaire, Gibbon, and Hume? These contain the same blasphemy, pointed with wit, gilded by eloquence, and rendered insinuating by the most artful sophistry. Yet they are permitted to circulate in every form, and to diffuse their poison through every rank in society. They are to be found, from the Bishops and Judges, down to the most common circulating library. These eagles of Infidelity may soar, and the thunder of the law sleeps—but no sooner does Mr. Attorney-General descry an impertinent sparrow pecking at the forbidden fruit, than he hurls it forth in all its fury!—This we are to respect as impartial justice!—But once more, I am told "it is blasphemy, and must be punished." And so is denying the Trinity. According to these statutes of intolerance, the names of Locke, Newton, Hardner, Priestley, Sykes, Hoadley, and others, scarcely less illustrious, ought to have graced the list of martyrs. Those Christians, who defend their religion by persecution, and those who assert that it disregards morality, are its greatest enemies. The unbeliever denies the existence of the Redeemer; but these represent him as the abettor of intolerance, or the minister of sin. But the punishment of these Christians by Heathens would be justly considered persecution. "Do then to others whatsoever ye would they should do unto you." This Lord E. will allow to be good law. It is a sentiment worthy of a Christian Bishop—"He who persecutes another, for not being a Christian, is no Christian himself."—To conclude—If Christianity do not possess a sufficiency of intrinsic excellence and external evidence to produce conviction—if the able pens of the Clergy, and the zealous efforts of Dissenters, be inadequate to protect it from the contemptible scribblings of a Paine, without the pious aid of the Attorney-General, pitiable, indeed, is its situation! Surely a grosser libel against our religion never was propagated, than such a supposition implies. That every Government may speedily allow all its subjects to follow the decision of the Polish Heretics—"To believe whatever appears true, and to do whatever appears right," is the ardent prayer of your Friend,

A Plain Christian.

THE REV. R. E. JONES.

TO THE EDITOR OF THE EXAMINER.

Sir,—A statement, under the signature of *Miso Tyrannus*, respecting me, having appeared in your Paper of Sunday last, I desire you will, in reply, be pleased to insert the following documents, with which I have heretofore confuted this concealed libeller; and I shall on no future occasion be provoked to any notice whatever of any malicious slander which he may direct against me.

R. E. Jones, Chaplain to the Forces.

Head Quarters, Cape of Good Hope, June 25, 1811.

These are to certify, that the Rev. R. E. Jones has officiated as Chaplain to the Forces under my command, at the Cape of Good Hope, for four years and a half, during which period he has punctually, and with great advantage to the Army, performed the various duties of his clerical situation; that I have not had occasion, in any instance, to find fault with his moral character, and that his habits of life have been, in every respect, correct and becoming those of a Clergyman.—By paying great attention to the Children's Schools established in the different Regiments, he has improved the system upon which they were conducted, and rendered them of considerable utility.—That, under all these circumstances, I consider Mr. Jones highly eligible for the situation of Chaplain to the Forces, and more particularly so in this Colony, as from having made himself perfectly master of the Dutch language, he is enabled to preserve an intercourse with the Clergy and Inhabitants extremely beneficial to the service.

(Signed) G. H. Grey, Lieut.-Gen.
Commander of the Forces at the Cape of Good Hope.

Cape Town, Cape of Good Hope, June 24, 1811.

These are to certify, that the Rev. R. E. Jones has been attached to my Brigade ever since I have been in this Settlement, and that I never, in any one instance, have had cause to find fault with his moral character, or the mode he carried on the duties of his profession.

(Signed) Wm. Cockell, Major Gen.

Cape Town, Cape of Good Hope, June 24, 1811.

These are to certify, that I have known the Rev. R. E. Jones ever since his arrival in this Colony; that he has frequently been under my command, and that his discharge of his public duties, as a Clergyman, his conduct and language as a private individual, have invariably been such as becomes a Gentleman and a Clergyman.

(Signed) Joseph Baird, B. General.

Cape Town, Cape of Good Hope, June 24, 1811.

We the undersigned Commanding Officers of Corps, do hereby certify, that we have been acquainted with the Rev. R. E. Jones ever since his on our arrival in this Colony, that we never knew his moral character aspersed, and that we, in no one instance, ever had a complaint preferred against him by any one of the men under our command; but, on the contrary, are perfectly satisfied with the mode he has carried on the duties of his profession, both in taking care that the Soldiers' Children were properly instructed, and in every other point of view in which his services have been required.

G. Johnstone, Lieut.-Col. 93d Highlanders; J. Graham, Lieut.-Col. Cape Regt.; R. Pigot, Lieut.-Col. 21st Lt. Dragoons; J. Brunt, Maj. Com. 83d Regt.; A. Watson, Maj. Com. Royal Artillery.

Cape Town, Cape of Good Hope, June 21, 1811.

We hereby certify, that we have been extremely well acquainted with the Rev. R. E. Jones, ever since either our or his arrival in this Colony; have been in the constant habits of meeting him in society, and that his conduct has invariably been such as becomes a Gentleman and Clergyman.—

F. Dashwood, President of the Lombard Bank; William Corkell, Maj. Gen.; Wilberforce Bird, Comptroller of Customs; J. Johnstone, Lieut.-Col. 93d Regt.; C. Blair, Collector of Customs; R. Pigot, Lieut.-Col. 21st Lt. Dragoons; C. Bird, Deputy Secretary to Government; Welter Bentick, Audit. Gen.; Thomas Roules, Secretary to the Court of Appeals; A. Watson, Maj. Royal Art.; J. Graham, Lieut.-Col. Cape Regt.; G. Keckwich, King's Advocate; D. Pontardent, Proctor; J. Pringle, Agent, H. E. I. Company; W. D. Jennings, King's Proctor; G. W. Demits, Bark. Mast. Gen.; A. Creagh, Maj. 93d Reg.; J. W. Fagel, Vendu Master; W. Hussey, M. D. Deputy Inspector of Hospitals; J. Falcon, Deputy Paymaster-General; T. Bates, Maj. 21st Light Dragoons; R. Hill, Deputy Commissary General; T. Arbuthnot, Lieut.-Col. Deputy Quart. Mast. Gen.

War-Office, March 30, 1812.

Sir,—The accusations of Dr. Halloran against the Rev. R. E. Jones have been investigated by the Archbishop of Canterbury and the Bishop of London, and they have expressed their opinion that they are malicious and unfounded.—I have the honour to be, Sir, your most obedient servant,

John Owen, Chaplain General.

To Lieut. General Cambell, &c. &c. &c.

ACCIDENTS, OFFENCES, &c.

Mr. Examiner,—In consequence of the melancholy relation contained in the papers of last month, respecting the finding the body of a gentleman on the south side of Blackfriar's Bridge, I am induced to address you on a matter well deserving the attention of those to whom the present may be more immediately applicable. What, however, concerns the public, is the supposed cause of this gentleman's death.

It is painful to impute blame to any individual, the more so, when the line of duty may be left undefined, but I cannot help thinking that if the Officers of the Parish of Christ Church (Blackfriar's-road) would but see to the proper lighting of the lamps, or that the Commissioners of the Bridge would but attend to so trifling an object, as the directing a bar or chain to be put up *every night* on the summit of the flight of steps on each side of the Bridge's foot, many valuable lives would have been saved to the community and to their families, and the sufferer in this case yet alive.

During the period of a very few years that I have had daily to traverse the Bridge, it is within my recollection that no less than four or five persons have met with a similar fate, from darkness of night and other circumstances, and by walking down the steps into the River, instead of taking the common ascent by the regular path-way from Blackfriar's-road, have thus been launched to that

"Bourne from whence no traveller ere returns."

The breadth of path-way, or rather terrace, occasioned by the receding of the buildings in Albion-place, leaves a space on each side of the common path-way very easily mistaken by those unaccustomed to the approaches of the Bridge, especially when it is known a tavern ornaments one side of its base, and a dram shop the other, from whence, no doubt, may occasionally issue persons not in the most perfect state of perception and discernment.

If the Parish have the power (means they cannot but possess) to cause the simple method I allude to, to be carried into effect, a twelvemonth's experience will amply reward its Officers for their attention and philanthropy: and under this impression, I am not without hope but that, on the score of humanity alone, the suggestions herein will be taken into their consideration, or that the Commissioners of the Bridge will feel justified, from the nature of their trust, to cause the immediate adoption of a remedy of so comparative trifling expense.—Your humble servant,

Amicus.

March 30, 1812.

BIRTHS.

In Dorsetshire, the Right Hon. the Lady Talbot, of a son, being her thirteenth child.

On Sunday se'nnight, Ann the wife of S. Smith, of Carsington, Derbyshire, of a fine boy. She was married early in June last, and was then only thirteen years and four months old!—*Taunton Courier.*

MARRIAGES.

It is with great satisfaction, we can at length announce the long expected nuptials of Mr. William Simpson Soames Wilkins, and Miss Soames Simpson.—The ceremony took place on Tuesday at St. Giles in the Fields. At eight o'clock, the procession approached the church by Hog-lane, in order to avoid the crowd assembled to view it in Dyot-street, Bambridge-street, and the neighbourhood. Miss Soames Simpson, now Mrs. William Simpson Soames Wilkins, was handed from the Hackney-coach (No. 254,) by Mr. Soames, who led her into the vestry. She was simply dressed in a flowered gingham, with a belcher handkerchief carelessly tied over her shoulders, and wore a plain black silk bonnet with a narrow lace edging at 9d. per yard—her gown cost 12s.—her handkerchief 7s. 6d.—and her bonnet four-shillings. It was supplied by Mr. Barber of Cranbourne Alley. The Bridegroom was dressed in a long drab great coat, with a black neckcloth and leather gaiters:—but a singular circumstance impeded the rites for a short time:—on Mr. Wilkins approaching the altar, it was discovered that he had forgotten to put on any *small-clothes*, and a friend was dispatched to a neighbouring shop in Monmouth-street, from which a pair were quickly procured, and the ceremony proceeded. After it was concluded, the happy pair left the church on the St. Giles' side, where a new taxed cart was waiting to receive them, into which they stepped, accompanied by Miss Molly Simpson, the bride's second sister, and set off for the Three Compasses at Paddington, where they remain till Saturday, when they proceed to the Lady's house in Tothill-fields. Miss Soames Simpson, now Mrs. William Simpson Soames Wilkins, has settled 41. 10s. per annum upon her mother, and has generously given her two sisters 1l. 15s. each.—*Morning Chronicle.*

DEATHS.

On Thursday, at Beaconsfield, Mrs. Burke, the relict of the Right Hon. Edmund Burke. She was in her 76th year.

On Thursday, at Chelsea, Edward Read, Esq. aged 82, one of the Magistrates for the County.

On Thursday se'nnight, at Wells, the Rev. Thomas Eyre, L.L.D. aged 81, Canon Residentiary and Treasurer of Wells Cathedral, a Canon Residentiary also of Salisbury Cathedral, and Rector of Fovant and Chilmark, Wilts.

On the 10th of February, at Botcherby, near Carlisle, at the advanced age of 90, Miss Margery Jackson, a maiden lady, who was for many years an inhabitant of that city. She died worth fifty thousand pounds, hoarded by penury. Eighteen hundred guineas were found in her house at her death.

On Sunday morning, at her house, in Manchester-street, Mrs. Mary Dyer, wife of Mark Dyer, Esq. of Alphington, Devonshire.

At Nungate of Haddington, on the 19th March, in the 101st year of his age, Mr. Peter M'Intyre, late farmer at Monkrigmains. Mr. M'Intyre joined the Pretender's army in 1745, and was severely wounded with a bayonet, at the battle of Culloden, on the 16th April, 1746.

On the 13th December, at Fishkill, in America, John Henderson, aged 103 years. He was at the battles of Culloden and Minden, and at the taking of Quebec, after which he settled in America.

On the 22d ult. at Stoke Newington, the Rev. P. Lafon.

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